



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBs0342/1  
MGG:kmg:ch

ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 336

February 26, 2002 - Offered by Representative FREESE.

1     **AN ACT** *to amend* 23.33 (5) (c) and 30.68 (3) (b); *to repeal and recreate* 23.33  
2           (5) (b); and *to create* 30.68 (3) (bm) of the statutes; **relating to:** safety training  
3           for all-terrain vehicle and motorboat operation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4           **SECTION 1.** 23.33 (5) (b) of the statutes is repealed and recreated to read:

5           23.33 (5) (b) *All-terrain vehicle safety certificate.* 1. No person who is at least  
6           12 years of age and who is born on or after January 1, 1987, may operate an  
7           all-terrain vehicle unless he or she holds a valid safety certificate.

8           2. Any person who is required to hold an all-terrain vehicle safety certificate  
9           while operating an all-terrain vehicle shall carry the certificate on the all-terrain  
10          vehicle and shall display the certificate to a law enforcement officer on request.  
11          Persons enrolled in a safety certification program approved by the department may  
12          operate an all-terrain vehicle in an area designated by the instructor.

1           **SECTION 2.** 23.33 (5) (c) of the statutes is amended to read:

2           23.33 (5) (c) *Exceptions.* Paragraphs (a) and (b) do not apply to a person who  
3 operates an all-terrain vehicle exclusively on land under the management and  
4 control of the person's immediate family. Paragraphs (a) and (b) do not apply to a  
5 person at least 12 years of age but under 16 years of age who holds a valid certificate  
6 issued by another state or a province of Canada.

7           **SECTION 3.** 30.68 (3) (b) of the statutes is amended to read:

8           30.68 (3) (b) No person under the age of 10 years may operate a motorboat.  
9 Persons at least 10 and less than 12 years of age may operate a motorboat only if they  
10 are either accompanied in the boat by a parent or guardian or a person at least 18  
11 years of age designated by a parent or guardian. ~~Persons at least 12 and less than~~  
12 ~~16 years of age may operate a motor of any horsepower, but only if they are either~~  
13 ~~accompanied by a parent or guardian or a person at least 18 years of age designated~~  
14 ~~by a parent or guardian, or in possession of a certificate issued under s. 30.74 (1).~~  
15 This paragraph does not apply to personal watercraft.

16           **SECTION 4.** 30.68 (3) (bm) of the statutes is created to read:

17           30.68 (3) (bm) 1. In this paragraph, "motorboat safety certificate" means a  
18 certificate issued under s. 30.74 (1).

19           2. No person who is at least 12 years of age but less than 18 years of age may  
20 operate a motorboat without holding a valid motorboat safety certificate.

21           2m. No person who is at least 18 years of age and who is born on or after  
22 January 1, 1985, may operate a motorboat without holding a valid motorboat safety  
23 certificate unless the motorboat is driven by a motor of 50 horsepower or less.

24           3. Any person who is required to hold a motorboat safety certificate while  
25 operating a motorboat shall carry the certificate on the motorboat and shall display

1 the certificate to a law enforcement officer on request. Persons enrolled in a safety  
2 certification program approved by the department may operate a motorboat in an  
3 area designated by the instructor.

4 4. This paragraph does not apply to personal watercraft.

5 **SECTION 5. Effective date.**

6 (1) This act takes effect on January 1, 2003.

7 (END)